



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

**MAY 19 2011**

Alison Young  
Reporter  
USA Today  
7950 Jones Branch Drive  
McLean, VA 22108

**Re: Freedom of Information Act Request #02-FOI-00554-11**

Dear Ms. Young:

The enclosed documents are in response to your Freedom of Information Act (FOIA) request concerning the Region 2 Smelting Initiative conducted in 2002. As part of this initiative, a Resource Conservation and Recovery Act (RCRA) inspector from Region 2 was dispatched to inspect four (4) smelting facilities, in industrialized areas of Newark, N.J., which had been identified to us. On each occasion, upon reaching the site where the smelter was supposedly operating, the inspector found that the smelter had been closed down long ago and the sites were either vacant or occupied by new different facilities. The documents enclosed are simply used to memorialize our efforts to inspect the facilities. I regret not being able to provide you with something more useful.

If you consider this determination to be a denial, please send your appeal to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: [hq.foia@epa.gov](mailto:hq.foia@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20001. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the RIN listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in black ink, appearing to read "Philip Flex".

Philip Flex  
RCRA Senior Enforcement Team Leader

# EPA GENERATOR ID NUMBER FORM (INTERNAL USE)

Alternative ID Numbers for Non-Standard Facilities

EPA

ENVIRONMENTAL PROTECTION  
AGENCY, REGION II

(Complete both sides)

NJD

NJN

00801010 PM 4:55

EPA Number (Leave Blank)

Date

RCRA PROGRAMS

Name of Handler

Hudson Smelting & Refining Co.

Installation

Contact

n/a

Title

n/a

Phone

n/a

Facility Location

Street

576 Wilson Ave.

City

Newark

State

NJ

Zip

07105-4812

County

County Code

Mailing Address

METRO

Street

n/a

City

n/a

State

Zip

Phone

Installation's Legal Owner

Company

n/a

Street

n/a

City

State

Zip

County

County Code

Phone number

Land Type

P

Owner Type

P

(See reverse for Land/Owner Type)

Handler Type (Circle Only One)

U .... UST facility

F .... Transporter Shipping Waste From Out of State or Out of Country (Foreign) Generators -

Use Transporter's primary ID, if any, in Secondary ID Field.

Transporter's Primary ID:

Waste Oil Facility

S ....

Solid Waste Facility Doing Work Under EPA Oversight (e.g., firing ranges under §7003 Order)

N ....

Non-Handler - inspected as a potential non-notifier, but verified to be a non-handler of hazardous waste

## 2

*(Handwritten signature)*

(Enter R for F-type handlers [see previous page] or N for other facility types)

RCRA Reg.	Desc.	Other

State Status - State Waste Only? Yes No ☒

### Materials involved and quantity

### Generator Status Code

1	Conditionally Exempt Small Quantity Generator
2	Definitionally Excluded Wastes
3	Delisted Wastes
4	One-time Hazardous Waste Generator
5	Periodic Hazardous Waste Generator

6	No Longer Generates HW; Still In Business
7	No Longer Generates HW; Out of Business
8	Never Generated Hazardous Waste
9	ID Number to Transport Non-hazardous Waste
10	Regulated Under Other ID Number(s) [List Below]

ID Requested By:

ion II Name Phil Clappin Branch RCB Extension X4129

**\*\* Please notify handler as soon as ID Number is assigned.**

Comments

Smelting Initiative, no facility at site

### Land/Owner Type Codes

Land Type: Using the codes listed below, indicate the code which best describes the current legal status of the land on which the installation is located:

F = Federal  
S = State  
I = Indian  
P = Private  
C = County  
M = Municipal  
D = District  
O = Other

\* Note: If the Owner Type is best described as Indian, County, or District, please use those codes. Otherwise, use Municipal for both Land and Owner Type.



# EPA GENERATOR ID NUMBER FORM (INTERNAL USE)

Alternative ID Numbers for Non-Standard Facilities

(Complete both sides)

ENVIRONMENTAL PROTECTION  
AGENCY REGION II

2002 MAY 22 PM 4:55

EPA Number (Leave Blank)

NYN008010381

Date

Name of Handler

Hudson Smelting & Refining Co.

Installation

Contact

n/a

Title

n/a

Phone

n/a

Facility Location

Street

85-87 Hyatt Ave.

City

Newark

State

NJ

Zip

07105-4206

County

ESSEX

County Code

013

Mailing Address

METRO

Street

n/a

City

n/a

State

Zip

Phone

Installation's Legal Owner

Company

n/a

Street

n/a

City

County Code

Phone number

Land Type P Owner Type P (See reverse for Land/Owner Type)

Handler Type (Circle Only One)

☐ U .... UST facility

☐ F .... Transporter Shipping Waste From Out of State or Out of Country (Foreign) Generators -  
Use Transporter's primary ID, if any, in Secondary ID Field.

Transporter's Primary ID: \_\_\_\_\_

☐ O .... Waste Oil Facility

☐ S .... Solid Waste Facility Doing Work Under EPA Oversight (e.g., firing ranges under §7003 Order)

☒ N .... Non-Handler - inspected as a potential non-notifier, but verified to be a non-handler of hazardous waste

## 2



(Enter R for F-type handlers [see previous page] or N for other facility types)

Other

State Status - State Waste Only? Yes ☒ No ☐

\_\_\_\_\_

### Generator Status Code

	6	No Longer Generates HW; Still in Business
✓	7	No Longer Generates HW; Out of Business
	8	Never Generated Hazardous Waste
	9	ID Number to Transport Non-hazardous Waste
	10	Regulated Under Other ID Number(s) [List Below]

ID Requested By:

Name Phil Clappin Branch RCB Extension X4129

**\*\* Please notify handler as soon as ID Number is assigned.**

Comments

Smelting Initiative, no facility at site

### Land/Owner Type Codes

**Land Type:** Using the codes listed below, indicate the code which best describes the current legal status of the land on which the installation is located:

F = Federal  
S = State  
I = Indian  
P = Private  
C = County  
M = Municipal  
D = District  
O = Other

\* Note: If the Owner Type is best described as Indian, County, or District, please use those codes. Otherwise, use Municipal for both Land and Owner Type.



# EPA GENERATOR ID NUMBER FORM (INTERNAL USE)

Alternative ID Numbers for Non-Standard Facilities

ENVIRONMENTAL PROTECTION  
AGENCY REGION II

(Complete both sides)

2002 MAY 22 PM 4:55

EPA Number (Leave Blank)

NY1008010373

Date 5/2/02

Name of Handler

Barth Smelting Corp

Installation

Contact

n/a

Title

n/a

Phone

n/a

Facility Location

Street

9 Fordon St.

City

Newark

State

NJ

Zip

07105-3010

County

Essex

County Code

013

Mailing Address

METRO

Street

n/a

City

n/a

State

Zip

Phone

Installation's Legal Owner

Company

n/a

Street

n/a

City

State

Zip

County

County Code

Phone number

Land Type

P

Owner Type

P

(See reverse for Land/Owner Type)

Handler Type (Circle Only One)

U .... UST facility

F .... Transporter Shipping Waste From Out of State or Out of Country (Foreign) Generators -  
Use Transporter's primary ID, if any, in Secondary ID Field.

Transporter's Primary ID:

W .... Waste Oil Facility

S .... Solid Waste Facility Doing Work Under EPA Oversight (e.g., firing ranges under §7003 Order)

(N) .... Non-Handler - inspected as a potential non-notifier, but verified to be a non-handler of hazardous waste

# HW Generator Status

RCRA Reg. Status N

(Enter R for F-type handlers [see previous page] or N for other facility types)

RCRA Reg. Desc. — Other

State Status — State Waste Only? Yes \_\_\_ No ✓

Materials involved and quantity

## Generator Status Code

1	Conditionally Exempt Small Quantity Generator
2	Definitionally Excluded Wastes
3	Delisted Wastes
4	One-time Hazardous Waste Generator
5	Periodic Hazardous Waste Generator

6	No Longer Generates HW; Still In Business
<u>7</u>	No Longer Generates HW; Out of Business
8	Never Generated Hazardous Waste
9	ID Number to Transport Non-hazardous Waste
10	Regulated Under Other ID Number(s) [List Below]

ID Requested By:

Name Phil Chappin Branch RCB Extension X4129

\*\* Please notify handler as soon as ID Number is assigned.

Comments

Smelting Initiative, no facility at site

Land/Owner Type Codes

Land Type: Using the codes listed below, indicate the code which best describes the current legal status of the land on which the installation is located:

- F = Federal
- S = State
- I = Indian
- P = Private
- C = County
- M = Municipal
- D = District
- O = Other

\* Note: If the Owner Type is best described as Indian, County, or District, please use those codes. Otherwise, use Municipal for both Land and Owner Type.



# EPA GENERATOR ID NUMBER FORM (INTERNAL USE)

Alternative ID Numbers for Non-Standard Facilities

(Complete both sides)

ENVIRONMENTAL PROTECTION  
AGENCY, REGION II

2002 MAY 22 PM 4:55

EPA Number (Leave Blank)

NY0008 010 357

Date 4/28/02

Name of Handler

Balbach Smelting and Refining

Installation

Contact

n/a

Title

n/a

Phone

n/a

Facility Location

Street

Wilson & Doremus

City

Newark

State

NJ

Zip

07105

County

Essex

County Code

013

METRO

Mailing Address

Street

n/a

City

n/a

State

Zip

Phone

Installation's Legal Owner

Company

n/a

Street

n/a

City

State

Zip

County

County Code

Phone number

Land Type

P

Owner Type

P

(See reverse for Land/Owner Type)

Handler Type (Circle Only One)

☐ U .... UST facility

☐ F .... Transporter Shipping Waste From Out of State or Out of Country (Foreign) Generators -  
Use Transporter's primary ID, if any, in Secondary ID Field.

Transporter's Primary ID: \_\_\_\_\_

☐ O .... Waste Oil Facility

☐ S .... Solid Waste Facility Doing Work Under EPA Oversight (e.g., firing ranges under §7003 Order)

☒ N .... Non-Handler - inspected as a potential non-notifier, but verified to be a non-handler of hazardous waste



## 2

*[Handwritten signature]*

RCRA Reg. Desc. — Other

### Materials involved and quantity

1	Conditionally Exempt Small Quantity Generator
2	Definitionally Excluded Wastes
3	Delisted Wastes
4	One-time Hazardous Waste Generator
5	Periodic Hazardous Waste Generator

	6	No Longer Generates HW; Still In Business
✓	7	No Longer Generates HW; Out of Business
	8	Never Generated Hazardous Waste
	9	ID Number to Transport Non-hazardous Waste
	10	Regulated Under Other ID Number(s) [List Below]

ion II Name Phil Clappin Branch RCB Extension X4129

Comments

Smelting Initiative, no facility at site

**Land Type:** Using the codes listed below, indicate the code which best describes the current legal status of the land on which the installation is located:

- F = Federal  
S = State  
I = Indian  
P = Private  
C = County  
M = Municipal  
D = District  
O = Other

\* Note: If the Owner Type is best described as Indian, County, or District, please use those codes. Otherwise, use Municipal for both Land and Owner Type.